

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MICHAEL JOE POTTS,	:	PRISONER CIVIL RIGHTS
No. 99472278,	:	42 U.S.C. § 1983
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:12-CV-3791-TWT-ECS
GWINNETT COUNTY, et al.,	:	
Defendants.	:	

**ORDER FOR SERVICE OF REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Attached is the report and recommendation of the United States Magistrate Judge in this action in accordance with 28 U.S.C. § 636(b)(1) and this Court's Civil Local Rule 72. Let the same be filed and a copy, together with a copy of this Order, be served upon counsel for the parties.

Pursuant to 28 U.S.C. § 636(b)(1), each party may file written objections, if any, to the report and recommendation within fourteen (14) days of service of this Order. Should objections be filed, they shall specify with particularity the alleged error or errors made (including reference by page number to the transcript if applicable) and shall be served upon the opposing party. The party filing objections will be responsible for obtaining and filing the transcript of any evidentiary hearing for review by the District Court. If no objections are filed, the report and recommendation may be adopted as the opinion and order of the

District Court and any appellate review of factual findings will be limited to a plain error review. United States v. Slay, 714 F.2d 1093 (11th Cir. 1983).

The Clerk is **DIRECTED** to submit the report and recommendation with objections, if any, to the District Court after expiration of the above time period.

SO ORDERED, this 3rd day of January, 2013.

S/ E. Clayton Scofield III
E. CLAYTON SCOFIELD III
UNITED STATES MAGISTRATE JUDGE

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FINAL REPORT AND RECOMMENDATION

While in pretrial detention, Michael Joe Potts filed and amended a civil rights complaint. See [Doc. Nos. 1, 3]. By Order dated December 18, 2012, the undersigned granted Mr. Potts permission to proceed in forma pauperis, subject to payment of an initial partial filing fee of \$6. [Doc. No. 4]. The copy of that Order sent to Mr. Potts was returned as undeliverable. See [Doc. No. 5]. And it appears that Mr. Potts has been released from the Gwinnett County Jail, see <http://www.gwinnettcountysheriff.com/Docket%20Book.htm> (searched for "Potts, Michael"; last viewed January 3, 2013), without updating his mailing address with the Court.

Because Mr. Potts's failure to update his address has adversely affected the management of this case, the undersigned **RECOMMENDS** that his complaint, as amended, be **DISMISSED WITHOUT PREJUDICE**. See LR 41.2(C) & 83.1D(3), NDGa.

The Clerk is **DIRECTED** to terminate the referral of this case to the undersigned.

SO RECOMMENDED AND DIRECTED, this 3rd day of January, 2013.

S/ E. Clayton Scofield III
E. CLAYTON SCOFIELD III
UNITED STATES MAGISTRATE JUDGE